

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

UNITED STATES OF AMERICA

VS.

SHARMAINE DEQUIR SIMPSON,

Defendant

NO. 1: 10-CR-3 (WLS)

VIOLATIONS: Drug Related

ORDER OF DETENTION PENDING TRIAL

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a DETENTION HEARING was this day held in the above-captioned case before the undersigned. Defendant Simpson was represented by Mr. Michael Chidester of the Macon Bar; the United States was represented by Assistant U. S. Attorney Leah McEwen. Based upon the evidence presented by counsel for the government, the defendant not presenting any evidence except by way of cross-examination, as well as the Pretrial Service Report of the U. S. Probation Office dated March 4, 2010, I conclude that the following facts require the detention of the defendant pending the trial of this case.

PART I - FINDINGS OF FACT

- ☒ (1) There is PROBABLE CAUSE to believe that the defendant has committed an offense
- ☒ for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act.
- ☐ under 18 U.S.C. §924(c).
- ☒ (2) The defendant has not rebutted the presumption established by finding (1) that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

ALTERNATIVE FINDINGS

- ☐ (1) There is a serious risk that the defendant will not appear.
- ☒ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

PART II - WRITTEN STATEMENT OF REASONS FOR DETENTION

Applying the factors set forth in 18 U.S.C. §3142(g), I find that the evidence presented at the DETENTION HEARING, as supplemented by information contained in the aforementioned Pretrial Services Report, establishes by clear and convincing evidence that no condition or combination of conditions set forth in 18 U.S.C. §3142(c) will reasonably assure the safety of the community were the defendant to be released from custody. The defendant is a long-time resident of Mitchell County, Georgia who appears to have been involved in drug trafficking for a number of years. The offenses charged against him herein are serious ones for which long-term incarceration can be expected in the event of a conviction or plea of guilty. His estimated guideline sentencing range is 78 months to 97 months to be served in prison if convicted. The weight of evidence is very strong with controlled purchases of crack cocaine having been made from him on several occasions by confidential informants. In addition, two individuals currently under indictment in this court on drug charges and one awaiting sentencing have admitted to officers that defendant Simpson provided them with crack cocaine for resale.

Defendant Simpson has a lengthy record of misdemeanor arrests and convictions which includes charges of WILLFUL OBSTRUCTION OF LAW ENFORCEMENT OFFICER and FLEEING AND ATTEMPTING TO ELUDE A POLICE OFFICER. Although he has no felony convictions, sufficient evidence has been presented to establish this defendant's long-time involvement in distributing crack cocaine in Mitchell County, Georgia. There is every indication that defendant Simpson would continue to engage in illegal drug activity were he to be released from custody at this time.

For the foregoing reasons, pretrial detention is mandated. IT IS SO ORDERED.

PART III - DIRECTIONS REGARDING DETENTION
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The defendant is hereby committed to the custody of the Attorney General of the United States or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED, this 5th day of MARCH, 2010.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE